

CHILD PROTECTION POLICY



Policy number	3	Version	1.0
Drafted by	Thomas O'Hare	Approved by board on	20/05/2024
Responsible person	Thomas O'Hare	Scheduled review date	20/05/2025

INTRODUCTION

The 1812 Theatre is committed to promoting and protecting the interests and safety of children. We have zero tolerance for child abuse. The 1812 Theatre is thereby committed to complying with the Child Safe Standards (**Standards**) introduced by the Victorian Government, which set out the compulsory minimum standards for organisations that provide services for children and young people (or are used by children and young people), to help protect them from harm.

Everyone working at The 1812 Theatre is responsible for the care and protection of children and reporting information about child abuse.

APPLICATION

This policy applies to all Board Members, staff, contractors and volunteers and to the broad range of situations where interaction with children and young people may occur in the delivery of The 1812 Theatre's services.

PURPOSE

The purpose of this policy is to:

1. ensure that all Board Members, staff, contractors and volunteers engaged by The 1812 Theatre are aware of the organisation's commitment to creating and maintaining a childsafe environment that meets the Standards
2. facilitate the prevention of child abuse within The 1812 Theatre
3. establish the framework for an organisational culture of child safety
4. outline the responsibilities that various parties have for identifying possible occasions for child abuse, for establishing controls and procedures for preventing abuse, and for detecting abuse when it occurs

5. provide guidance to Board Members, staff, contractors and volunteers as to action that should be taken where they suspect any abuse within or outside of the organisation
6. provide a clear statement to Board Members, staff, contractors and volunteers forbidding any such abuse
7. provide assurance that all suspected abuse will be reported and fully in accordance with the Child Protection Procedures.

THE 1812 THEATRE'S COMMITMENT

The 1812 Theatre is committed to promoting and protecting the best interests of children involved in its programs, and to providing a child-safe and child-friendly environment for all children and young people who engage with The 1812 Theatre. The 1812 Theatre is committed to complying with the Child Safe Standards (**Standards**) introduced by the Victorian Government, which set out the compulsory minimum standards for organisations that provide services for children and young people (or are used by children and young people), to help protect them from harm.

All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse. The 1812 Theatre has zero tolerance for child abuse. Everyone working at The 1812 Theatre is responsible for the care and protection of the children within our care and reporting information about suspected child abuse.

Child protection is a shared responsibility between The 1812 Theatre and all Board Members, staff, contractors, and volunteers of The 1812 Theatre community.

The 1812 Theatre will consider the opinions of children and use their opinions to develop child protection policies.

The 1812 Theatre supports and respects all children, Board Members, staff, contractors, and volunteers.

The 1812 Theatre is committed to the cultural safety of children, and pays particular attention to the safety and cultural safety of the following groups of children, in recognition of their increased vulnerability, and diverse and unique identities and experiences:

- Aboriginal and Torres Strait Islander children and young people
- children from culturally and linguistically diverse backgrounds
- children living with a disability
- children who identify as lesbian, gay, bisexual, or trans
- children who are intersex, non-binary, or gender diverse
- children in and out of home care and the youth justice system.

Any person who believes a child is at immediate risk of abuse must contact the police (telephone 000).

Policies and Procedures can be established or altered only by the Board.

THE 1812 THEATRE'S APPROACH TO CHILD SAFETY

In continuing to implement and promote a child-safe system of work, The 1812 Theatre will:

- develop an environment in which children feel listened to and valued, and in which their concerns are acted upon, including encouraging and allowing children to participate in decisions important to them.
- consult with staff and other appropriate parties, including families and children.
- assess and manage the risk of abuse to children who interact with The 1812 Theatre, including through recruitment practices (e.g., auditions) and online.
- take a proactive approach to child safety, including fostering a culture of openness that encourages all Board Members, staff, contractors, and volunteers to report any concerns of child safety and supports them in this process.
- report suspected abuse, neglect or mistreatment promptly to the appropriate authority, whether or not the law requires reporting.
- ensure children know the options available to them if they are concerned or feeling unsafe, and foster an environment where children are safe to raise such concerns.
- recruit Board Members, staff, and volunteers who are suitable to work with children and provide high quality training, supervision, and professional development to staff.
- have policies, procedures and support in place to reflect these commitments, and review these regularly.

AUTHORISATION

[Signature of Board Secretary]

[Date of approval by the Board]

The 1812 Theatre

CHILD PROTECTION PROCEDURES

Document Number	<insert number>	Version	1
Date of Issue	<insert date>	Contact:	Thomas O'Hare

RESPONSIBILITIES

All Board Members, staff, contractors and volunteers are responsible for the safety and wellbeing of children and young people who engage with The 1812 Theatre. Board Members, staff, contractors and volunteers, are expected to act in accordance with The 1812 Theatre's Child Safety Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

The board of The 1812 Theatre has ultimate responsibility for the detection and prevention of child abuse and is responsible for ensuring that appropriate and effective internal control systems are in place. The board is also responsible for ensuring that appropriate policies and procedures and a Child Safety Code of Conduct are in place.

The Board of Directors of The 1812 Theatre under the guidance of the Child Safety Officer is responsible for:

- dealing with and investigating reports of child abuse
- ensuring that all Board Members, staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct
- ensuring that all adults within The 1812 Theatre community are aware of their obligation to report suspected sexual abuse of a child in accordance with these policies and procedures
- ensuring that all Board Members, staff, contractors, and volunteers are aware of their obligation to observe the Child Safety Code of Conduct
- providing support to Board Members, staff, contractors, and volunteers in undertaking their child protection responsibilities.

All Directors, Producers, and stage managers must ensure that they:

- promote child safety at all times
- assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible
- educate employees about the prevention and detection of child abuse
- facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

Policies and Procedures can be established or altered only by the Board.

All Board Members, staff, Producers, Directors, and Stage Managers should be familiar with the types of abuse that might occur within their area of responsibility and be alert for any indications of such conduct.

All Board Members, staff, contractors, and volunteers share responsibility for the prevention and detection of child abuse, and must:

- familiarise themselves with relevant laws, the Child Safety Code of Conduct, and The 1812 Theatre's policy and procedures in relation to child protection, and comply with all requirements
- report any reasonable belief that a child's safety is at risk to the relevant authorities (such as the police or the state child protection service) and fulfil their obligations as mandatory reporters
- report any suspicion that a child's safety may be at risk to the Board of Directors, the Child Safety Officer, or their next immediate supervisor (Director, Producer, or Stage Manager)
- provide an environment that is supportive of all children's emotional and physical safety.

DEFINITIONS

Child means a child or young person who is under the age of 18 years.

Child protection means any responsibility, measure or activity undertaken to safeguard children from harm.

Child abuse means

- a sexual offence committed against, with or in the presence of a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded, or
- sexual misconduct committed against, with or in the presence of a child, or
- physical violence committed against, with or in the presence of a child, or
- any behaviour that causes significant emotional or psychological harm to a child or significant neglect of a child.

Child sexual assault is any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in preparation for sexual activity with the child.

Policies and Procedures can be established or altered only by the Board.

Reasonable grounds for belief is a belief based on reasonable grounds (see below) that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.

A reasonable belief is formed if a reasonable person believes that:

- the child is in need of protection, or
- the child has suffered or is likely to suffer significant harm as a result of physical injury, or
- the parents are unable or unwilling to protect the child.

A “reasonable belief” or a “belief on reasonable grounds” is not the same as having proof, but it is more than mere rumour or speculation.

A “reasonable belief” is formed if a reasonable person in the same position would form the belief on the same grounds. For example, a “reasonable belief” might be formed if:

- a) a child states that they have been physically or sexually abused
- b) a child states that they know someone who has been physically or sexually abused (the child may be talking about themselves)
- c) someone who knows a child states that the child has been physically or sexually abused
- d) professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused
- e) signs of abuse lead to a belief that the child has been physically or sexually abused.

EMPLOYMENT OF NEW PERSONNEL AND TRAINING

The 1812 Theatre’s recruitment procedure, including referee checks, and staff and volunteer screening prior to commencement of responsibilities, emphasises child safety and wellbeing in line with its commitment to promoting child safety. The 1812 Theatre has a robust recruitment and selection process, to ensure the recruitment of suitable staff and minimise the risk of recruiting individuals who may commit child abuse.

The 1812 Theatre undertakes a comprehensive recruitment and screening process for all staff and volunteers. This process aims to:

- promote and protect the safety of all children under the care of the organisation
- identify the safest and most suitable people who shares The 1812 Theatre’s values and commitment to protecting children, and
- prevent a person from being involved with The 1812 Theatre if they pose a risk to children.

Policies and Procedures can be established or altered only by the Board.

The 1812 Theatre requires all Board Members, staff, contractors, and volunteers to pass through the organisation's recruitment and screening processes before commencing their engagement.

All relevant Board Members, staff, contractors, and volunteers must have current Working with Children Checks to support the ongoing culture of child safety.

The 1812 Theatre may require applicants to provide a police check in accordance with the law and as appropriate, before they commence working and during their time with The 1812 Theatre at regular intervals.

The 1812 Theatre will require all people involved in a leadership position (e.g., director, producer, Board Member, etc.) to be approved by two Board Members prior to the commencement of their engagement.

Once engaged, workers and volunteers must review and acknowledge their understanding of this policy.

The 1812 Theatre is committed to ensuring that Board Members, staff, contractors and volunteers have access to appropriate induction and ongoing training in relation to their child safety responsibilities, including The 1812 Theatre's child safety and wellbeing policies and procedures, external reporting obligations (e.g. mandatory reporting) and the Child Safety Code of Conduct.

Training will be available to staff who are likely to come into regular contact with children and young people. This training will include how to identify, assess, and minimise the risk of child abuse and detect potential signs of child abuse. Position-specific training will also be provided.

RISK MANAGEMENT

The 1812 Theatre will ensure that child safety is a part of its overall risk management approach.

The 1812 Theatre Board will identify and manage risks. Board members will receive regular training in relation to child safety from the Child Safety Officer.

REPORTING

All Board Members, staff, volunteers and contractors are responsible for reporting child safety concerns to their supervisor or The 1812 Theatre's child safety officer as soon as possible after receiving such information or forming a belief that a child is at risk.

In situations where the supervisor or child safety officer is suspected of involvement in the activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision (Producer, Board Member, or Chairman of the Board).

Supervisors must report complaints of suspected abusive behaviour or misconduct to the CEO and to any external regulatory body such as the police.

Policies and Procedures can be established or altered only by the Board.

If any Board Members, staff, contractor, or volunteer has a reasonable belief that reportable conduct may have occurred, then they must report the incident to the child safety officer directly and immediately. If the incident potentially involves a criminal offence, the incident must also be reported to the local police station or by calling 000 after consulting with the child safety officer if reasonably practicable.

Reportable conduct includes the following incidents:

- a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- sexual misconduct committed against, with or in the presence of a child
- physical violence committed against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Where a law enforcement agency is seeking to investigate child safety concerns, staff members must co-operate to the best of their ability.

The 1812 Theatre's child safety officer can be contacted by email at Thomas.w.ohare@hotmail.com or by phone on 0452 228 254.

The 1812 Theatre also works to ensure all children, young people, families and staff understand their obligations and know who to tell if they observe abuse, are a victim, or notice inappropriate behaviour.

INVESTIGATING

If the appropriate child protection service or the police decide to investigate a report, all employees, contractors, or volunteers must co-operate fully with the investigation.

Whether or not the authorities decide to conduct an investigation, the Child Safety Officer will consult with the authorities to determine whether an internal investigation is appropriate. If it is decided that such an investigation will not conflict with any proceeding of the authorities, the Child Safety Officer may decide to conduct such an investigation. All employees, contractors and volunteers must co-operate fully with the investigation.

Any such investigation will be conducted according to the rules of natural justice.

The Child Safety Officer will make every effort to keep any such investigation confidential; however, from time to time other members of staff may need to be consulted in relation to the investigation.

After an initial review and a determination that the suspected abuse warrants additional investigation, the Child Safety Officer shall coordinate the investigation with the appropriate investigators and law enforcement officials. Internal or external legal representatives will be involved in the process as deemed appropriate.

RESPONDING

If it is alleged that a Board Member, staff member, contractor, or volunteer may have committed an offence or breached the organisation's policies or its Code of Conduct, the person concerned may be stood down while an investigation is conducted.

If the investigation concludes that on the balance of probabilities an offence (or a breach of the organisation's policies or Code of Conduct) has occurred then disciplinary action may follow, up to and including dismissal or cessation of involvement with the organisation. The findings of the investigation will be reported to any external body as required.

PRIVACY

The 1812 Theatre will respect the privacy of the individuals involved unless there is a risk to someone's safety. The 1812 Theatre will have safeguards and practices in place to ensure that any personal information considered or recorded remains confidential.

In accordance with privacy laws, everyone is entitled to know how their personal information will be recorded, what will or can be done with it, and who may be able to access it.

REVIEWING

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child protection policies or procedures require modification to better protect the children under the organisation's care.

RELATED DOCUMENTS

- Confidentiality Policy
- Child Safety Code of Conduct
- This policy must be read in conjunction with:
 - The law of the Commonwealth or of the state of Victoria
 - The organisation's Code of Conduct
 - The organisation's Child Safety Code of Conduct
 - The organisation's Termination of Employment Policy and Misconduct Procedures

AUTHORISATION

Approved by the Board of The 1812 Theatre

20/05/2024